

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, APRIL 30, 2007**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 6:59 p.m. on Monday, April 30, 2007, with President Gray presiding.

Councillor Boyd introduced Reverend L. Bryant Parker of the Witherspoon Presbyterian Church who led the opening prayer. Councillor Boyd then invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Gray instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*27 PRESENT: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*  
*2 ABSENT: Mansfield, McWhirter*

A quorum of twenty-seven members being present, the President called the meeting to order.

**INTRODUCTION OF GUESTS AND VISITORS**

Councillor Sanders introduced Miss Harrison with Dress for Success, who thanked the Council for their donations to “Suits for Success.” She stated that the donation will help to empower and provide economic independence for women in the community. Since its inception, the program has provided over 2,800 women with work clothing, which was done with no government funding and only through donations. She thanked the Council on behalf of the 850 women they anticipate to help this year. Councillor Abdullah recognized Rufus “Bud” Myers, executive director of the Indianapolis Housing Agency.

## OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 30, 2007, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Monroe Gray  
President, City-County Council

April 17, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, January 31, 2007 and in the *Indianapolis Star* on Friday, April 20, 2007, a copy of a Notice of Public Hearing on Proposal Nos. 186 and 189-193, 2007, said hearing to be held on Monday, April 30, 2007, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

April 24, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 20, 2007 – approves an increase of \$450,000 in the 2007 budget of the Marion County Public Defender Agency (County General Fund) to contract with approximately twenty five (25) attorneys to work part-time on cases involving termination of parental rights (TPR) and children in need of services (CHIN)

FISCAL ORDINANCE NO. 21, 2007 - approves an appropriation of \$7,927 in the 2007 Budget of the Wayne Township Assessor (Cumulative Capital Development Fund) to replace HVAC equipment

FISCAL ORDINANCE NO. 22, 2007 – approves an appropriation of \$6,300 in the 2007 Budget of the Franklin Township Assessor (County General Fund) to pay for telephone service

FISCAL ORDINANCE NO. 23, 2007 – approves an appropriation of \$23,360 in the 2007 Budget of the Department of Parks and Recreation (Parks General Fund) to fund after school activities related to drug prevention at numerous school sites (\$13,940 grant from Drug Free Marion County); to expand tennis programs at four IPS schools (\$1,500 grant from the Central Indiana Tennis Association); and to fund salaries for three seasonal staff to assist in administering the summer lunch program at various sites (\$7,920 grant from the Hoover Family Foundation)

FISCAL ORDINANCE NO. 24, 2007 – approves an appropriation of \$40,000 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to pay for resurfacing tennis courts at Garfield park using waste tire asphalt (\$30,000 grant from the Indiana Department of Environmental Management); and to plant trees at Talbot and 29th, John Ed, and Ross Claypool parks (\$10,000 grant from the Indiana Department of Natural Resources) in association with the Alcoa Foundation and the Rupert's Kids Foundation

*April 30, 2007*

FISCAL ORDINANCE NO. 25, 2007 – approves an appropriation of \$129,875 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to repair and expand the trail system at Southeastway Park, funded by a federal Recreational Trails Program grant administered by the Indiana Department of Natural Resources

FISCAL ORDINANCE NO. 26, 2007 – approves an appropriation of \$32,500 for the Marion County Community Corrections Agency (Home Detention User Fee Fund) to hire a maintenance supervisor for the community corrections facility at 147 East Maryland Street

FISCAL ORDINANCE NO. 27, 2007 – appropriates \$85,566 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment to the drug chemistry lab, financed by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute

FISCAL ORDINANCE NO. 28, 2007 – approves an appropriation of \$1,800,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to restore funds used for snow fighting and street repair, including salt, asphalt and other supplies, plus snow removal contracts with private operators

FISCAL ORDINANCE NO. 29, 2007 – approves an appropriation of \$30,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing State Grants Fund) to collect and dispose of hazardous materials, particularly mercury, financed by a grant from the Indiana Department of Environmental Management

FISCAL ORDINANCE NO. 30, 2007 - approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to begin Phase 1 construction of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation

FISCAL ORDINANCE NO. 31, 2007 – approves an appropriation of \$2,400,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing Federal Grants Fund) for the land acquisition phase of the Washington Street/Ohio Street/Market Street/I-65/I-70 interchange project, funded by a federal earmark of funds allocated to the State of Indiana

FISCAL ORDINANCE NO. 32, 2007 – approves an appropriation of \$80,000 in the 2007 Budget of the Department of Public Works (Solid Waste Disposal Fund) for operation and maintenance of the Belmont Ash Monofil

FISCAL ORDINANCE NO. 33, 2007 – approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Stormwater Management Utility Fund) for stormwater related maintenance costs and for stormwater capital improvements set to bid in 2007

FISCAL ORDINANCE NO. 34, 2007 - approves an appropriation of \$5,000,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to reduce the backlog of requests for curb/sidewalk/ramp repairs and for street resurfacing projects

FISCAL ORDINANCE NO. 35, 2007 – approves an appropriation of \$2,000,000 in the 2007 Budget of the Department of Public Works (Sanitation Liquid Waste Fund) for sewer related expenses in connection with the expansion of the Indianapolis International Airport and its impact on the Bridgeport Interceptor, financed by the Sanitation General Fund balance and \$1.1 million for sewer relocation expenses incurred in connection with work performed by the State for I-70 and I-465 reconstruction work, financed by reimbursements from the State of Indiana

FISCAL ORDINANCE NO. 36, 2007 - approves an increase of \$4,200,000 in the 2007 Budget of the Information Services Agency (Information Services Internal Services Fund) to pay for a new property system that improves property valuation and assessment trending, generates uniform tax bills and meets state requirements for an integrated process among the Assessor, Treasurer and Auditor of Marion County, financed by cash transfers from the Auditor's Endorsement Fee, County Sales Disclosure, Enhanced Access, Redevelopment Tax Increment Bonds of 1992, Storm Water Management Utility, and County Recorder's Perpetuation Funds

GENERAL ORDINANCE NO. 21, 2007 – approves the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department on the effective date of July 1, 2007

GENERAL ORDINANCE NO. 22, 2007 – authorizes no parking restrictions on 20th Street from Luett Avenue to Tibbs Avenue (District 14)

GENERAL ORDINANCE NO. 23, 2007 – authorizes no parking restrictions on Belmont Avenue and a multi-way stop at the intersection of 12th Street and Belmont (District 15)

GENERAL ORDINANCE NO. 24, 2007 - authorizes parking meters and the relocation of a bus zone on Ohio Street near Alabama Street (District 15)

GENERAL RESOLUTION NO. 4, 2007 – authorizes the issuance of up to \$10.9 million in refunding bonds to generate savings and provide funds for capital projects in the Airport Industrial Economic Development Allocation and Expansion Areas

GENERAL RESOLUTION NO. 5, 2007 – establishes that the City-County Council is interested in making the purchase of easements on real estate currently owned by Thomas Professional Building, Inc., which are necessary for the construction of sewers on the Bangor-Delaware Septic Tank Elimination Project

GENERAL RESOLUTION NO. 6, 2007 - authorizes certain actions and agreements related to the financing of the purchase of motor vehicle fuel for the Department of Public Works, Fleet Services Division until December 31, 2008

SPECIAL RESOLUTION NO. 28, 2007 - honors Telecommunicators, more commonly referred to as Dispatchers

Respectfully,  
s/Bart Peterson, Mayor

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

### **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journal of April 16, 2007. There being no additions or corrections, the minutes were approved as distributed.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 214, 2007. The proposal, sponsored by Councillors Boyd, Gibson, Conley and Sanders, recognizes Tanya Detherage. Councillor Boyd read the proposal and presented Ms. Detherage with a copy of the document and a Council pin. John Kish, Airport Authority, and Ms. Detherage thanked the Council for the recognition. Councillor Boyd moved, seconded by Councillor Gibson, for adoption. Proposal No. 214, 2007 was adopted by a unanimous voice vote.

Proposal No. 214, 2007 was retitled SPECIAL RESOLUTION NO. 29, 2007, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2007**

A SPECIAL RESOLUTION recognizing Tanya Detherage.

WHEREAS, Ms. Detherage, a member of the custodial staff at the Indianapolis International Airport employed by One Force Staffing of Indianapolis, did recently find a diamond ring on the sink of an airport public room; and

WHEREAS, Ms. Detherage ran through the airport as far as checkpoint and described the ring's owner to security screeners, who were then able to reunite the traveler with the ring; and

WHEREAS, the very appreciative owner, a New York woman, said that the ring was an heirloom, her grandmother's wedding ring, and she later thanked and awarded Ms. Detherage; now, therefore:

#### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The Indianapolis City-County Council proudly recognizes Tanya Detherage for her commitment to being an honest employee, as well as a trustworthy citizen.

SECTION 2. By passage of this resolution, the Council gratefully acknowledges the day-to-day acts of honesty and kindness of many citizens that most often go unsung, unheralded and unnoticed. We particularly applaud those who represent the city in their interactions with the traveling public.

*April 30, 2007*

SECTION 3. The President of the Airport Authority and administration of One Force Staffing also recognize and congratulate Ms. Detherage.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 215, 2007. The proposal, sponsored by Councillors Sanders, Nytes, Moriarty Adams, Conley, Brown, Gray, Gibson, Mahern, Bateman, Abdullah, Boyd, Mansfield, Oliver and Pryor, urges the City to establish language in bond financing documents that protects its public investment in the new convention center hotel from labor disputes. Councillor Sanders read the proposal and moved, seconded by Councillor Moriarty Adams, for adoption.

Councillor Cockrum stated that his son is an executive with the proposed development and therefore he will abstain from voting to avoid the appearance of a conflict of interest.

Proposal No. 215, 2007 was adopted by a voice vote, with Councillors Schneider and Vaughn dissenting.

Proposal No. 215, 2007 was retitled COUNCIL RESOLUTION NO. 55, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 2007

A COUNCIL RESOLUTION urging the City to establish language in bond financing documents that protects its public investment in the new convention center hotel from labor disputes.

WHEREAS, a community is only as economically strong as its residents and businesses; and

WHEREAS, elected officials have an obligation to ensure that community standards of living are maintained through prudent use of resources and strong economic development policies; and

WHEREAS, at a time of fiscal uncertainty, Marion County and the City of Indianapolis are considering a substantial public investment of \$48 million in a new convention center hotel, and have a vested interest in ensuring that this investment is supported by positive relationships between employers and employees and protected against the damaging effects of labor disputes, especially in the early years when the hotel is becoming established; and

WHEREAS, language to prevent labor disputes has been secured covering similar convention hotels in Pittsburgh, Minneapolis, Denver, Boston, Los Angeles, San Diego, and elsewhere; and

WHEREAS, preventing labor disputes would open Indianapolis' access to new convention business like the \$600 million economic impact of the 200 groups who subscribe to INMEX (informed meetings exchange); and

WHEREAS, letters of support for such an initiative are attached; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council recognizes the constitutional right of individuals to engage in concerted actions and reaffirms its commitment to protect this right. At the same time, the Council recognizes the need to protect its investments in the case of any such concerted actions, to guarantee that the public interest is secure.

SECTION 2. The Indianapolis City-County Council heartily supports including protections against labor disputes in the bond financing documents that will come before us for approval.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 187, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 187, 2007 on April 18, 2007. The proposal, sponsored by Councillors Moriarty Adams, Gray, Conley and Brown, appoints Christine Kerl, a probation officer, to the Marion County Community Corrections Advisory Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption. Proposal No. 187 2007 was adopted by a unanimous voice vote.

Proposal No. 187, 2007 was retitled COUNCIL RESOLUTION NO. 56, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 2007

A COUNCIL RESOLUTION appointing Christine Kerl, a probation officer, to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council appoints:

Christine Kerl

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 195, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 195, 2007 on April 17, 2007. The proposal, sponsored by Councillors Gray, Conley, Sanders, Boyd, Gibson and Brown, appoints Tim Huber to the Common Construction Wage Committee for Decatur Township. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 195 2007 was adopted by a unanimous voice vote.

Proposal No. 195, 2007 was retitled COUNCIL RESOLUTION NO. 57, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 57, 2007

A COUNCIL RESOLUTION appointing Tim Huber to the Common Construction Wage Committee for Decatur Township.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Common Construction Wage Committee, the Council appoints:

Tim Huber

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 206, 2007. Introduced by Councillors Sanders, Vaughn, Brown, Conley, Gray, Gibson and Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code for the purpose of creating a Mayor's Youth Council"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 207, 2007. Introduced by Councillors Gray, Conley, Borst, Boyd, Cain, Gibson, Keller, Mahern, Nytes, Pfisterer, Sanders, Speedy and Langsford. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the Metropolitan Development Commission's determination of the West Washington Street Economic Development Area and the issuance of special taxing district bonds, notes or other obligations and other related matters"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 208, 2007. Introduced by Councillors Mahern, Nytes, Keller, Gray, Conley, Gibson and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$1,220,000 in the 2007 Budget of the Department of Metropolitan Development (Federal Grants and Redevelopment General Funds) to provide funding for rental development projects for low income families and for support of Indianapolis emergency homeless shelters and to pay for demolition of the abandoned BOSMA building at 526 West 30th Street, financed by federal funds and funds in the United North West Area (UNWA) TIF account within the Redevelopment General Fund"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 209, 2007. Introduced by Councillors Mahern, Nytes, Keller, Gray, Conley, Gibson and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$880,000 in the 2007 Budget of the Department of Metropolitan Development (Consolidated County Fund) to allocate funds from the Housing Trust Fund to provide financial assistance for low income individuals and families"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 210, 2007. Introduced by Councillors Mahern, Nytes, Keller, Gray, Conley, Gibson and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$405,000 in the 2007 Budget of the Department of Metropolitan Development (Federal Grants Fund) to make necessary capital repairs to the Indiana Repertory Theater building, funded by program income generated in prior years by federal Urban Development Action Grants (UDAG)"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 211, 2007. Introduced by Councillors Moriarty Adams, Brown, Conley and Langsford. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$429,033 in the 2007 Budget of the Marion County Prosecutor (User Fee Diversion, Deferral Program Fee and County General Funds) to pay for staff salaries and benefits for certain employees in the Community Prosecution Division, to fund 2007 pay increases for grant-funded positions, and to purchase vehicles for the Adult Protective Services Unit, funded by

fund balance, a bequest and a transfer between funds"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 212, 2007. Introduced by Councillors Abdullah and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking meters on 11th Street near Dr. Martin Luther King, Jr. Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 213, 2007. Introduced by Councillors Conley and Keller. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes a parking meter blackout on May 25, 2007 to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 216, 2007. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a)"; and the President referred it to the Economic Development Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 217-219, 2007, PROPOSAL NO. 220, 2007, AND PROPOSAL NOS. 221-226, 2007. Introduced by Councillor Mahern. Proposal Nos. 217-219, 2007, Proposal No. 220, 2007, and Proposal Nos. 221-226, 2007 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 19, 2007. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 37-46, 2007, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 37, 2007.

2007-ZON-009

4002 NORTH FRANKLIN ROAD (Approximate Address), INDIANAPOLIS  
LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 11

JOHN G. WHITNEY AND SHERRY L. WHITNEY, by Timothy E. Ochs, requests rezoning of 5.35 acres, from the SU-16 and D-7 Districts, to the SU-2 classification to provide for educational uses.

REZONING ORDINANCE NO. 38, 2007.

2007-ZON-021

2401, 2427, 2433 AND 2437 DR. MARTIN LUTHER KING JR. STREET, 532 WEST 24<sup>TH</sup> STREET, AND 2402, 2412, 2414, 2418, 2422, 2426, 2430 AND 2436 ETHEL AVENUE (Approximate Address), INDIANAPOLIS  
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15

CENTER FOR LEADERSHIP DEVELOPMENT, by Jeffrey Logston, requests rezoning of 1.925 acres, from the C-3 (W-5) and D-8 (W-5) Districts, to the SU-7 (W-5) classification to provide for charitable, philanthropic and not-for-profit institutions.

REZONING ORDINANCE NO. 39, 2007.

2007-ZON-022

3728 NORTH SHADELAND AVENUE (Approximate Address), INDIANAPOLIS  
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 17



*April 30, 2007*

TAI-KONG AND AMY NG (AKA TYRONE AND AMY NG), by David Kingen, requests rezoning of 0.46 acre, from the D-3 and C-4 Districts, to the C-4 classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 40, 2007.

2006-ZON-122

3440 GUION ROAD (Approximate Address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 7

CHARTER DEVELOPMENT COMPANY, LLC, by Steven R. Eichholtz, requests rezoning of 14.47 acres, from the D-3 (FW) (FF) District, to the SU-2 (FW) (FF) classification to provide for a charter elementary school, K-8.

REZONING ORDINANCE NO. 41, 2007.

2006-ZON-146

7436 ROCKVILLE ROAD (Approximate Address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 13

INDIANA REAL ESTATE SERVICES, by Brian Tuohy, requests rezoning of 1.18 acres, from the C-S District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 42, 2007.

2006-ZON-850

5529, 5539, 5543, 5551, 5559 AND 5709 WEST HANNA AVENUE AND 4023, 4031, 4035 AND 4115 HEINEY ROAD (Approximate Address), INDIANAPOLIS

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22

AIRPORT CENTRE REALTY, L.P., by Brian Tuohy, requests rezoning of 1.83 acres, from the C-S and D-A Districts, to the C-S classification to provide for a mixture of uses permitted in the C-3, C-4 and I-2 Suburban and Urban Districts.

REZONING ORDINANCE NO. 43, 2007.

2007-ZON-008

8320 MOORE ROAD (Approximate Address), INDIANAPOLIS

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

OLD PLEASANT HILL CEMETERY, by Ross Reller, requests rezoning of 3.90 acres, from the D-A District, to the SU-10 classification to legally establish a cemetery.

REZONING ORDINANCE NO. 44, 2007.

2007-ZON-011

5426 ELMWOOD AVENUE (Approximate Address), CITY OF BEECH GROVE

FRANKLIN TOWNSHIP, COUNCILMANIC DISTRICT # 25

PAUL T. CLARK AND LESLIE L. CLARK, by William A. Gorton, requests rezoning of 0.555 acres, from the D-3 District, to the I-2-S classification to provide for light industrial uses.

REZONING ORDINANCE NO. 45, 2007.

2007-ZON-012

9530 VALPARAISO COURT (Approximate Address), INDIANAPOLIS

PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 1

JLC PROPERTY MANAGEMENT, LLC, by Joseph D. Calderon, requests rezoning of 0.91 acre, from the C-5, C-6 and C-ID Districts, to the C-4 classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 46, 2007.

2007-ZON-015

2935 MADISON AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

TRIPLE S PARTNERS DEVELOPMENT, LLC, by Mary E. Solada, requests rezoning of 0.6 acre, from the D-8 District, to the C-5 classification to provide for general commercial uses.

## **SPECIAL ORDERS - PUBLIC HEARING**

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 189, 191 and 192, 2007 on April 18, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 189, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown, Gray, Conley, Sanders and Randolph, approves an appropriation of \$373,081 in the 2007 Budget of the Marion County Justice Agency (State and Federal Grants and Law Enforcement Funds) to fund the operations of the Metro Drug Task Force through the end of 2007, funded by a grant awarded by the Indiana Criminal Justice Agency (\$142,419) and Law Enforcement Fund balance (\$230,662). PROPOSAL NO. 191, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown, Conley, Sanders and Randolph, approves an appropriation of \$9,872 in the 2007 Budget of the Marion County Sheriff (State and Federal Grants Fund) to purchase bullet proof vests, financed by a grant from the U.S. Department of Justice Bulletproof Vest Partnership. PROPOSAL NO. 192, 2007. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Brown, Gray, Conley, Sanders, Randolph and Langsford, approves an appropriation of \$425,000 in the 2007 Budget of the Department of Public Safety, Emergency Management Planning Division (Non-Lapsing Federal Grants Fund), to fund a United States Army federal training exercise that will simulate a terrorist attack in northern Marion County, financed by a grant from the U.S. Department of Homeland Security through the Indiana Department of Homeland Security. By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 7:32 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 189, 191 and 192, 2007 were adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*

*0 NAYS:*

*2 ABSENT: Mansfield, McWhirter*

Proposal No. 189, 2007 was retitled FISCAL ORDINANCE NO. 37, 2007, and reads as follows:

### **CITY-COUNTY FISCAL ORDINANCE NO. 37, 2007**

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Three Hundred Seventy-Three Thousand Eighty-One Dollars (\$373,081) in the State and Federal Grants Fund and the Law Enforcement Fund for purposes of the Marion County Justice Agency.

### **BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 106 (d) of the City-County Annual Budget for 2007 be, and is hereby, amended to fund the operations of the Metro Drug Task Force through the end of 2007. Funding will come from a grant awarded by the Indiana Criminal Justice Agency (\$142,419) and from the Law Enforcement Fund balance (\$230,662).

SECTION 2. The sum of Three Hundred Seventy-Three Thousand Eighty-One Dollars (\$373,081) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

April 30, 2007

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	63,145
2. Supplies	0
3. Other Services and Charges	79,274
4. Capital	<u>0</u>
TOTAL INCREASE	142,419

  

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>LAW ENFORCEMENT FUND</u>
1. Personal Services	130,852
2. Supplies	0
3. Other Services and Charges	99,810
4. Capital	<u>0</u>
TOTAL INCREASE	230,662

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unencumbered and Unappropriated State and Federal Grants Fund	<u>142,419</u>
TOTAL DECREASE	142,419

  

	<u>LAW ENFORCEMENT FUND</u>
Unencumbered and Unappropriated State and Federal Grants Fund	<u>230,662</u>
TOTAL DECREASE	230,662

SECTION 5. This proposal includes funding for the following FTEs, which were contemplated for 2007 when the budget was submitted in August, 2006:

Marion County Prosecutor's office – 2.5 FTE (1.5 FTE for Deputy Prosecutor and 1.0 FTE for Investigator)  
Marion County Justice Agency – 1.0 FTE (1.0 FTE for Administrative Assistant)

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 191, 2007 was retitled FISCAL ORDINANCE NO. 38, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Nine Thousand Eight Hundred Seventy-Two Dollars (\$9,872) in the State and Federal Grants Fund for purposes of the Marion County Sheriff's Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 (b) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department to purchase bullet proof vests financed by a grant from the U.S. Department of Justice Bulletproof Vest Partnership.

SECTION 2. The sum of Nine Thousand Eight Hundred Seventy Two Dollars (\$9,872) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	9,872
3. Other Services & Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	9,872

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>9,872</u>
TOTAL DECREASE	9,872

SECTION 5. The grant requires a 50% local match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 192, 2007 was retitled FISCAL ORDINANCE NO. 39, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Four Hundred Twenty-Five Thousand Dollars (\$425,000) in the Non-Lapsing Federal Grants Fund for purposes of the Department of Public Safety, Emergency Management Planning Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01(k) of the City-County Annual Budget for 2007 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management Planning Division for a federal training exercise sponsored by the U.S. Army, funded by a grant from the U.S. Department of Homeland Security through the Indiana Department of Homeland Security.

SECTION 2. The sum of Four Hundred Twenty-Five Thousand Dollars (\$425,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u>	
<u>EMERGENCY MANAGEMENT PLANNING DIVISION</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	2,000
2. Supplies	75,000
3. Other Services and Charges	348,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	425,000

April 30, 2007

SECTION 4. The said additional appropriation is funded by the following reductions:

<u>NON-LAPSING FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered	
Non-Lapsing Federal Grants Fund	<u>425,000</u>
TOTAL REDUCTION	425,000

SECTION 5. There is no local match required.

SECTION 6. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

### **SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 183, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 183, 2007 on April 24, 2007. The proposal, sponsored by Councillors Mahern and Conley, determines the need to lease approximately 70,000 square feet of space at 1200 South Madison Avenue for use by the Departments of Metropolitan Development and Public Works. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 183, 2007 was adopted on the following roll call vote; viz:

*27 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*

*0 NAYS:*

*2 ABSENT: Mansfield, McWhirter*

Proposal No. 183, 2007 was retitled SPECIAL RESOLUTION NO. 30, 2007, and reads as follows:

#### **CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2007**

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately seventy thousand (70,000) square feet of space at 1200 South Madison Avenue, Indianapolis, Indiana, for use by the Indianapolis Departments of Metropolitan Development and Public Works.

#### **BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of space for use by the Indianapolis Departments of Metropolitan Development and Public Works, is needed.

SECTION 2. The property to be leased is located at 1200 South Madison Avenue, Indianapolis, Indiana. Such property is currently owned by Denny Properties, LLC, with Randy Denny managing partner. Upon the commencement of the lease by the city, the property will be owned by 1200 S. Madison, LLC, with Ersal Osdemir managing partner and Randy Denny another partner.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 190, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 190, 2007 on April 18, 2007. The proposal, sponsored by Councillors Moriarty Adams, McWhirter, Brown, Conley, Sanders, Gibson and Randolph, approves a transfer of \$57,904 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants and Non-Lapsing Federal Grants Funds) to pay for salaries and cell phone expenses for the Victim Assistance Unit and to purchase cameras for the Indianapolis/Marion County Camera Project under the Buffer Zone Protection Plan. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Franklin asked who monitors the camera system. Councillor Moriarty Adams stated that this question has not been asked to her knowledge.

Councillor Moriarty Adams moved, seconded by Councillor Langsford, for adoption. Proposal No. 190, 2007 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Salisbury, Sanders, Schneider, Speedy, Vaughn*  
0 NAYS:  
2 ABSENT: *Mansfield, McWhirter*

Proposal No. 190, 2007 was retitled FISCAL ORDINANCE NO. 40, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Police Special Service District Ordinance No. 1, 2006 and Fiscal Ordinance No. 89, 2006, Section 1.06(b)) appropriating Fifty Seven Thousand Nine Hundred Four Dollars (\$57,904) in the Federal Grants Fund and the Non-Lapsing Federal Grants Fund for purposes of the Indianapolis Metropolitan Police Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Sections 1 and 1.06(b) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Metropolitan Police Department Victim Assistance Unit for staff salaries and cell phones (\$27,279), funded by a transfer of the grant funds balance from the Marion County Sheriff's Department (Federal Grants Fund); and to purchase additional cameras for the Indianapolis/Marion County Camera Project (\$30,625), funded by a transfer between characters (Non-lapsing Federal Grants Fund).

SECTION 2. The sum of Fifty Seven Thousand Nine Hundred Four Dollars (\$57,904) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriations are hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	26,164
2. Supplies	0
3. Other Services and Charges	1,115
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	27,279

April 30, 2007

<u>INDPLS. METROPOLITAN POLICE DEPARTMENT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>30,625</u>
TOTAL INCREASE	30,625

SECTION 4. The said additional appropriation is funded by the following reductions of fund balance:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	<u>27,279</u>
TOTAL REDUCTION	27,279

SECTION 5 The following appropriations are hereby reduced:

<u>MARION COUNTY SHERIFF'S DEPARTMENT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	27,279
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL DECREASE	27,279

<u>INDPLS. METROPOLITAN POLICE DEPARTMENT</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	10,500
3. Other Services and Charges	20,125
4. Capital Outlay	<u>0</u>
TOTAL DECREASE	30,625

SECTION 6. There is no local match related to these grants.

SECTION 7. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

## NEW BUSINESS

Councillor Salisbury stated that he is resigning his Council seat effective May 5, 2007. He said that it has been a pleasure to work with other Council members and the staff. He introduced Robert Lutz, former judge, who has been slated to fill his seat. President Gray thanked Councillor Salisbury for his service.

## ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Langsford and Pfisterer in memory of Ellis "Bob" Fowler; and
- (2) Councillor Gray, Conley, Boyd, Nytes and Abdullah in memory of Kevin Holloway; and
- (3) Councillor Boyd, Randolph, Gray, Conley, Sanders and Abdullah in memory of Osma Spurlock and Taylor L. Baker; and
- (4) Councillor Moriarty Adams in memory of John Francis "Jack" McGinley; and

- (5) Councillor Boyd, Conley and Abdullah in memory of Bob Martz; and
- (6) Councillor Randolph in memory of Annie D. Hatcher Cooley-Carson; and
- (7) Councillor Pfisterer in memory of Ann Marie Kelly-Hawkins, Ray Proffitt, Bertha Fahler, Bill G. Arnold and Robert Beaver; and
- (8) Councillor Borst and Day in memory of Jim Krug; and
- (9) Councillor Langsford in memory of Mary Frances Keller French; and
- (10) Councillor Sanders in memory of Kurt Vonnegut.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Ellis "Bob" Fowler, Kevin Holloway, Osma Spurlock, Taylor L. Baker, John Francis "Jack" McGinley, Bob Martz, Annie D. Hatcher Cooley-Carson, Ann Marie Kelly-Hawkins, Ray Proffitt, Bertha Fahler, Bill G. Arnold, Robert Beaver, Jim Krug, Mary Frances Keller French, and Kurt Vonnegut. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 7:39 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 30th day of April, 2007.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)